

# Calendar No. 771

82D CONGRESS }  
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SENATE

{ REPORT  
No. 812

## EMILIO TORRES

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SEPTEMBER 24 (legislative day, SEPTEMBER 19), 1951.—Ordered to be printed

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Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany H. R. 1102]

The Committee on the Judiciary, to which was referred the bill (H. R. 1102) for the relief of Emilio Torres having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Emilio Torres. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

#### STATEMENT OF FACTS

The beneficiary of the bill is a 41-year-old native and citizen of the Philippine Islands who last entered the United States as a student on October 30, 1945. He was appointed legal officer in the Office of the Resident Commissioner of the Philippines to the United States and in June 1946 his status was changed from that of a student to that of an accredited official of a recognized foreign government. In 1949 he obtained his degree in foreign service at Georgetown University, Washington, D. C., and is presently completing work on his Ph. D. in international relations at the same school.

A letter dated January 24, 1951, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

JANUARY 24, 1951.

Hon. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,  
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice with respect to the bill (H. R. 1102) for the relief of Emilio Torres, an alien.

The bill would provide that, for the purposes of the immigration and naturalization laws, Emilio Torres, shall be considered to have been lawfully admitted into the United States for permanent residence as of the date of its enactment, upon payment of the required visa fee and head tax. It would also direct the Secretary of State to instruct the quota-control officer to deduct one number from the appropriate immigration quota.

The files of the Immigration and Naturalization Service of this Department disclose that Emilio Torres was born on October 18, 1909, in Apalit, Pampagna, Philippine Islands, and that he is a citizen of the Philippines. He last entered the United States on October 30, 1945, as a student under section 4 (e) of the Immigration Act of 1924, and on November 20, 1945, was appointed legal officer in the office of the Resident Commissioner of the Philippines to the United States. On June 12, 1946, his status was changed from that of a student to that of an accredited official of a recognized foreign government.

When interviewed on August 21, 1950, the alien stated that upon finishing his elementary schooling in the Philippines he attended and completed a course at the Philippine Normal Training School, in Manila; that from 1928 to 1930 he taught in the Bureau of Education and attended the National University in Manila, graduating therefrom in 1930 with a B. S. degree; that thereafter for 3 years he was an instructor at La Salle College, Manila; that in 1933 he enrolled in the University of the Philippines and completed his Reserve Officers' Training Corps course in 1936; and that he completed the law course at the University of the Philippines in 1937. Further he stated that in 1937 he entered the general practice of the law and in the evenings taught English and law subjects at La Salle College; that in 1940 he became an attorney with the Philippine Islands department of justice, being promoted in 1941 to solicitor in the office of the solicitor general of the Philippines; that from February to August 1945 he served as Assistant Chief of the Criminal Investigations Division, Office of the Provost Marshal, United States Army; that until August 1946 he served in the capacity of legal adviser to the Resident Commissioner of the Philippines to the United States; that he was appointed a technical assistant in charge of administration of the Embassy of the Philippines, Washington, D. C., and served in such capacity until 1948, being then appointed second secretary to the Embassy. He claims that on July 15, 1950, he was temporarily removed from the Embassy payroll due to lack of funds but that he expected to be reinstated. According to the alien, he has continued his studies in the United States, finishing the Department of State foreign training course in 1947; that in 1949 he obtained an M. S. degree in foreign service at Georgetown University, and is presently completing work on his Ph. D. in international relations at the last-named university.

The alien is chargeable to the quota for the Philippine Islands, which is over-subscribed, and an immigration visa is not readily obtainable. The case, however, fails to present facts of sufficient merit to justify enactment of special legislation granting him a preference over other persons chargeable to the same quota.

Accordingly, this Department is unable to recommend enactment of the bill.

Yours sincerely,

PEYTON FORD,  
*Deputy Attorney General.*

Congressman Clifford P. Case, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and submitted the following additional information in support of the bill:

WASHINGTON, D. C., February 5, 1951.

Hon. CLIFFORD P. CASE,  
*House of Representatives, Washington, D. C.*

DEAR CONGRESSMAN CASE: I cannot tell you how appreciative I am of your continued interest in me as evidenced by your introduction of H. R. 1102 in this Congress and a similar bill in the Congress just completed. I am grateful also for your furnishing me with a copy of the January 24, 1951, report of the Department of Justice based upon its investigation of me.

The following facts concerning my background may be of interest to the committee in considering the merits of the bill: I am at present employed by the Philippine Embassy as assistant in the legal division and have been employed by the Embassy in this or similar capacities almost ever since my arrival in the United States on October 30, 1945. Thus I have been here on diplomatic status for almost 5 years. I became a member of the bar of the Supreme Court of the United States in 1946, graduated in law from the University of the Philippines in 1937, received a bachelor-of-science degree from the National University in Manila in 1933 and a master-of-science degree in foreign service from Georgetown University in Washington, D. C., in 1949, completed the United States State Department 4-month basic Foreign-Service training course in 1947, was an ROTC graduate of the University of the Philippines in 1937, was an attorney in the Office of the Solicitor General in the Philippines during most of World War II, and was Assistant Chief of the Criminal Investigation Division, Office of the Provost Marshal, United States Army, Manila, in 1945, prior to my entry into the United States.

It occurred to me that the Department of Justice report omits my employment since my enforced leave with pay from the Philippine Embassy on July 15, 1950. My leave at that time was simply a part of a sweeping reduction-in-force program which affected a great number of employees at the Embassy and was brought about by a rigid economy program dictated by the Philippine Government. After 3 months I resumed my position as a diplomatic official in the Philippine Embassy, where I continue to be serving as assistant in the Legal Division.

During the 3 months' leave in 1950, I made diligent efforts to secure employment in the United States Government and elsewhere and in fact have continued in my efforts since my reinstatement in the Embassy. I have official applications on file at a number of Government agencies, including the Library of Congress, Central Intelligence Agency, and the Federal Bureau of Investigation, and I am extremely desirous of securing a position with the Government, even though it may involve a drastic curtailment in my income and work that is nonlegal in nature. My renewed employment by the Embassy became a matter of economic necessity, since I am not the recipient of an independent income.

The primary difficulty I have met in securing Government employment has been my alien status, which this bill would enable me to overcome in the course of time.

I am not only interested in ultimately obtaining the inestimable privilege of becoming a United States citizen but I am devoted to the democratic principles of the United States, and I am willing and anxious to demonstrate this devotion by responding to any call for my services. In fact, when the Korean War broke out I applied for a commission in the United States Army but, due partly to my alien citizenship, I was not accepted. The letter of Secretary Louis Johnson is attached.

It is more than kind of you, Congressman Case, to take this degree of interest in my behalf, and I hope that an early opportunity can be had for the subcommittee handling these matters to consider H. R. 1102. Upon suggestion, I am sending a copy of this letter to Mr. Besterman.

I am enclosing a copy of the report of Major Galang of the United States Army addressed to the commanding officer of the CIC, which might be of interest to you.

If I can provide any further information that would be of help, I, of course, shall respond immediately.

With renewed expression of my gratitude, I am

Very sincerely yours,

EMILIO TORRES.

Name: Emilio Torres

Address: 1416 Twentieth Street NW., Washington, D. C.

Telephone: Decatur 4461

Date and place of birth: October 18, 1909, Apalit, Pampanga, Philippines

Civil status: Divorced—no children

Educational attainments:

Graduate of the Philippine Normal School, 1926

Bachelor of science in education, National University, Manila, Philippines, 1926

Completed ROTC, University of the Philippines, 1936

Bachelor of laws, University of the Philippines, Manila, 1937

Completed basic requirements of the foreign-service training course, United States State Department, 1947

Master of science, foreign service (involving 3 academic years), Georgetown University, Washington, D. C., 1949

Needing 20 units for Ph. D., Georgetown University

Practical experience:

Teacher in Philippine public schools, 1926-28

Instructor in college English and business law, La Salle College, Manila, 1938-40

Attorney, Department of Justice, Philippines, 1940-41

Solicitor, Bureau of Justice, Department of Justice, 1941-45

Assistant Chief, Criminal Investigation Division, Provost Marshal's office, United States Army, Manila, 1945

Law officer, Philippine Resident Commissioner's Office, Washington, D. C., 1945-46

Technical assistant, Philippine Embassy, Washington, D. C., 1946-47

Foreign Service officer, Foreign Service of the Philippines, designated second secretary, Philippine Embassy, Washington, D. C., 1947-50

Practicing attorney, Manila, Philippines, 1938-40

Member of the Philippine bar and authorized to practice before the Supreme Court of the United States

Reasons for desiring to acquire permanent residence:

My 5-year stay in the United States has made me love this country as my own. In fact, I had filed an application for a commission in the United States Army before my services in the Philippine Foreign Service were terminated. Our Secretary of Foreign Affairs promised to reinstate me at the earliest opportunity after the special session of our Congress adjourns. I would prefer service in the United States Army to the foreign service of the country of my birth. I would reject reinstatement or resign from the Philippine Foreign Service as soon as my application for a commission in the United States Army is considered

Residence in United States:

Since October 30, 1945. Never been indicted for any crime anywhere

References:

Emilio Abello, Minister, Philippine Embassy, Washington, D. C.

Melquiades J. Gamboa, Philippine Embassy, Washington, D. C.

Maj. Arthur J. Keene, now Sergeant Keene of the Metropolitan Police, Washington, D. C.

WASHINGTON, D. C., August 3, 1951.

Mr. C. MURRAY BERNHARDT,

*Counsel, Committee on the Judiciary,*

*House of Representatives, Washington, D. C.*

MY DEAR MR. BERNHARDT: It has come to my attention that during the subcommittee hearing of bill H. R. 1102 the question of my having served in the Philippine Government during the Japanese occupation of the islands had come up. Fearing that the same question might come up in subsequent proceedings, I should like to make a few statements regarding this point, hoping that through your kindness the same may reach all parties concerned.

When the Japanese Army entered and occupied Manila, the first thing the Japanese military authorities did was to order the continuance of the civil government. A few of the top men of the Commonwealth government made attempt to quit the service. When they were told by the commander of the occupying forces that "Tokyo would not like that," which meant imprisonment at Fort



Santiago, where later many went and few came out alive, they agreed to stay on their job.

In order to save the lives of their countrymen, these Filipino leaders requested their subordinates to stay on their job, that being the only judicious alternative.

So, while we served in the government, many of us engaged in underground work, such as beaming the inadequately equipped guerrillas in their mountain hide-outs with the latest news flashes from the United States which we picked up through our carefully hidden radio-receiving sets, in order to keep their fighting spirit high; and collecting clothes, books, medicine, and reading materials for these men.

As for my part, my ex-wife and I were particularly in constant and close touch and cooperation with two well-known underground operatives. One was Ricardo C. Galang, 0515082, major, Infantry, AIB, AUS, who was sent from Australia to make observation in the Philippine area. Our connection with him is evidenced in his letter to the commanding officer of the CIC, a copy of which has been attached to my letter to Congressman Case, the sponsor of the bill under consideration. Meanwhile, I am getting in touch with Major Galang for the purpose of obtaining a more detailed report of my activities with him. As soon as I get this report, I shall send it to you immediately.

The other person we had worked with was one Miss Celia Mariano. I had never seen a woman as courageous as she. She was the one in charge of sending the medicine, clothes, books, writing paper, and money that we had collected to the guerrillas in the mountains. Having left the Philippines in 1945 almost immediately after the liberation, I have no means of knowing whether or not Miss Mariano survived the war. I am trying to get in touch with someone who can give me a clue to her whereabouts. As soon as I get a certificate from her, I shall send it to you.

My hatred of the Japanese invaders was deep-seated and with reason. When they first bombed Manila, they killed my brother-in-law, making my sister a widow. They shot my first cousin in cold blood for no cause at all. They bayoneted to death an uncle who was not armed and not even resisting. They raided our house in the early hours of the morning with fixed bayonets because they suspected that my brother-in-law, who was an officer in the United States Army and who succeeded to escape during the Bataan death march, was hiding in our house. This was done not only once but many times.

I served in the government because we were advised that it was the safest thing to do under the circumstances. As a conquered people, we were left with not much choice. Even our late President Manuel Roxas served. Also, a great number of our officers and enlisted men, who fought and saw their comrades fall in Bataan and Corregidor, did the same.

I was, of course, born an American national. In 1946, when the Philippines became an independent nation, I lost that status. When I came to this country in 1945, I had an American passport. I was proud of it. After living in this country continuously for 6 years, I feel this is the country where I belong. Everywhere I go people are so good to me. In parties, on tennis courts, on picnic grounds, in public libraries, in ball parks, etc., I find myself with friends with happy faces. I have begun to love this country so much that I feel I would be very unhappy elsewhere. I have a good educational training and experience which may be of some use to the United States Government in the future. To me, to be an American citizen is a great privilege. I shall always hold it that way.

Again wishing that the sentiments I have expressed in this letter may find their way to the distinguished Members of Congress, I remain,

Very sincerely yours,

EMILIO TORRES.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1102) should be enacted.



